



STATE OF MICHIGAN

Jennifer M. Granholm
GOVERNOR

DEPARTMENT OF LABOR & ECONOMIC GROWTH
ROBERT W. SWANSON
DIRECTOR

Michigan Occupational
Safety & Health Administration
(MIOsha)

OCCUPATIONAL HEALTH STANDARDS COMMISSION MEETING

September 13, 2006--9:30 A.M.
State Secondary Complex, 7150 Harris Drive, Lansing
General Office Building, Conference Room B

MINUTES

MEMBERS PRESENT:

Dr. Robert DeYoung, Chairperson
Mr. Gary Novak
Ms. Margie Faville
Mr. Ronald Torbert
Mr. John Miller

MEMBERS ABSENT:

Ms. Margie Vissman, Vice Chairperson
Mr. David Glynn
Chief Ricardo Longoria
Mr. Satyam Talati

DEPARTMENT PERSONNEL PRESENT:

Ms. Martha Yoder	Acting Director, MIOsha
Mr. Ron Ray	Acting Director, Management & Technical Services Div.
Ms. Marsha Parrott-Boyle	Program Manager, Standards Section
Mr. Robert Pawlowski	Director, Construction Safety & Health Division
Ms. Cindy D. Eicher	Secretary, Standards Section

VISITORS ATTENDING:

Ms. Cynthia Hutchens-Smith

Agenda Item #1—Call to Order and Roll Call

The September 13, 2006 Occupational Health Standards Commission meeting was called to order by Chairperson DeYoung. A roll call was taken and a quorum was present.

Agenda Item #2—Approval of Minutes for June 14, 2006 Meeting

A motion was made by Commissioner Novak and was seconded by Commissioner Faville to approve the minutes of the June 14, 2006 Commission meeting.

MOTION CARRIED UNANIMOUSLY.

Agenda Item #3—Standards Section Update—Marsha Parrott-Boyle, Program Manager

Ms. Marsha Parrott-Boyle shared with the commissioners that there had recently been a number of changes in leadership appointments within MIOSHA. Martha Yoder is now serving as Acting Director of MIOSHA filling in for Doug Kalinowski who has been appointed as Acting Deputy Director for the Department of Labor and Economic Growth. John Peck has been appointed as acting Deputy Director for MIOSHA filling in for Martha Yoder. Ron Ray has been appointed as Acting Division Director for the Management and Technical Services Division filling in for John Peck.

Ms. Parrott-Boyle reviewed with the commissioners in detail the list of the standards currently being revised, their priority and their progress. She informed the commission that the Ergonomics Advisory Committee will be working on the appendices and developing recommendation for other education resources. The commission will be receiving an update from one of the committees' co-chairs at an upcoming meeting. As one advisory committee had recently completed their business, the next advisory committee that will be started up will be the Latex Advisory Committee. This effort will be addressed later in the meeting.

Agenda Item #4 - Old Business**a. OH Part 601 Air Contaminants for Construction**

Ms. Marsha Parrott-Boyle advised that in December 2005 the commissioners directed staff to open OH Part 301 Air Contaminants standard to bring the standard up to date with current ACGIH and NIOSH values as recommended by the Diisocyanates Standard Advisory Committee. At that time staff inadvertently did not request that the same action be taken for OH Part 601 Air Contaminants for Construction. A motion was made by Commissioner Miller and was seconded by Commissioner Faville to open OH Part 601 Air Contaminants for Construction standard to update the values for diisocyanates and bring them up to date with current ACGIH and NIOSH values.

MOTION CARRIED UNANIMOUSLY.

b. Latex Advisory Committee Applications

The commissioners reviewed six applications that the Standards Section has received for the Latex Advisory Committee. Staff anticipates starting this advisory committee in the next few months. The commissioners reviewed the applications individually.

A motion was made by Commissioner Faville and seconded by Commissioner Novak to appoint Ms. Terri Wiggins of the Dearborn Inn Marriott to the Latex Advisory Committee representing Management.

MOTION CARRIED UNANIMOUSLY.

A motion was made by Commissioner Novak and seconded by Commissioner Faville to appoint Mr. Derrick Quinney of the AFL-CIO to the Latex Advisory Committee representing Labor.

MOTION CARRIED UNANIMOUSLY.

A motion was made by Commissioner Faville and seconded by Commissioner Miller to appoint Mr. Thomas Bissonnette of the Michigan Nurses Association to the Latex Advisory Committee representing Labor.

MOTION CARRIED UNANIMOUSLY.

A motion was made by Commissioner Faville and seconded by Commissioner Novak to appoint Ms. Michele Goodyear of the Michigan Society for Clinical Laboratory Science to the Latex Advisory Committee and requested staff to request that Ms. Goodyear represent Management including an explanation of that what the representation requires.

MOTION CARRIED UNANIMOUSLY.

A motion was made by Commissioner Miller and seconded by Commissioner Faville to appoint Mr. Gregory Bozimowski of the Michigan Associate of Nurse Anesthetists to the Latex Advisory Committee representing Labor.

MOTION CARRIED UNANIMOUSLY.

A motion was made by Commissioner Miller and seconded by Commissioner Novak to table the application for Laura Sullivan of the Michigan Society for Respiratory Care to be reconsidered upon the receipt of additional applications for this advisory committee.

MOTION CARRIED UNANIMOUSLY.

Agenda Item #5--New Business

a. APF's revisions for OH 451 Respiratory Protection

Due to the OSHA Respiratory Protection 1910.134 revisions published in the August 24, 2006 Federal Register updating the assigned protection factors MIOSHA needs permission to open the Occupational Health Standard Part 451 Respiratory Protection to adopt these new amendments. Ms. Parrott-Boyle reviewed the updates with the commissioners.

A motion was made by Commissioner Faville and was seconded by Commissioner Novak to open Occupational Health Standard Part 451 Respiratory Protection and update it to reflect the updates made to the federal standard regarding assigned protection factors.

MOTION CARRIED UNANIMOUSLY.

Agenda Item #6—Construction Safety & Health Division Update--Robert Pawlowski, Director

Mr. Robert Pawlowski stated there unfortunately were ten fatalities in the month of August, 2006 being investigated by both General Industry Safety and Health and the Construction Safety and Health Divisions. Mr. Pawlowski advised that there have been thirteen fatalities in the construction field investigated by his division so far in 2006.

Mr. Pawlowski informed the commissioners of the various trainings and conferences that the Construction Safety & Health Division (CSHD) has participated in. CSHD staff has conducted 121 combined inspections as of August 7, 2006 and is continuing to focus additional inspection time in residential construction. Mr. Pawlowski provided the Commission a listing of the current and in progress partnerships and alliances.

Mr. Pawlowski informed the commissioners that the CSHD hired for two safety officers (July 31, 2006). Patty Meyer filled the vacant safety manger position and Jim Devonshire was promoted to a first line supervisor. The division now has three vacant positions which are two field compliance safety officers and on safety section supervisor.

Agenda Item #7—General Industry Safety & Health Division Update—John Brennan, Director

Mr. John Brennan was unable to attend due to a division meeting.

Agenda Item #8 – MIOSHA Update – Martha Yoder, Acting Director, MIOSHA

Ms. Martha Yoder expressed her appreciation for the work that the commissioners do and that she enjoyed being able to hear their discussions.

Ms. Yoder provided additional information regarding the shifting of leadership that has taken place within the Department of Labor and Economic Growth and in MIOSHA. She advised that Doug Kalinowski as acting Deputy Director of DLEG is overseeing the Unemployment Agency, Workers Compensation, Wage and Hour and recently added to his responsibilities was MIOSHA. It appears that the temporary assignments will be in place at least until after the election and most likely after the first of next year. Ms. Yoder stated that John Peck is doing a great job filling in for her position. Ms. Yoder also thanked Ron Ray for the outstanding job he is doing as the Acting Division Director for the Management and Technical Services Division.

Ms. Yoder reported that MIOSHA's second "Take a Stand Day" on August 16, 2006 was a great success with over 220 employers asking for and receiving consultative services. Included this time was an opportunity for the employers to respond to the question of why they decided to take MIOSHA up on this opportunity. All comments received back will be reviewed. MIOSHA plans to participate in this event again next year.

Commissioners receive the new MIOSHA Youth Rights and Responsibility brochure. Ms. Yoder explained the objective of this effort stating a previous mailing will be followed by a larger mailing scheduled for September, 2006 to all high schools, charter and vocational schools. There is also in place a contest for high school kids to develop the best youth safety program. MIOSHA is looking for

a co-sponsor to donate a prize to the winner. MIOSHA hopes to be able to show the winning video at the Michigan Safety Conference in 2007.

Ms. Yoder stated that MIOSHA staff continues to distribute customer comment cards to employers and employees requesting feedback on the usefulness their experience with MIOSHA staff. MIOSHA is receiving 98.5% positive responses.

Ms. Yoder advised that both MIOSHA consultation and enforcement staff will be using the same targeting list for employers to visit which is a new approach. If consultation staff arrives first that the employer will be in good shape for their inspection. Staff is working on protocol for situations when enforcement goes in to conduct an inspection and the employer is currently working with the Consultation, Education and Training Division.

MIOSHA is planning to train staff on persuasiveness skills, this hopefully will include both initial training and then follow up and coaching sessions.

Ms. Yoder sadly confirmed that there were 10 fatalities in the month of August, 2006 which is the worst month since March of 1999. The total fatalities to date for 2006 for both general industry and construction combined is at 34. Last year the end of the year total was 36. Tree trimming and removal has had 4 of the fatalities this year. MIOSHA is sending letters to all employers that conduct this type of work and sending a fact sheet and power point program. One month after sending these letters we are stepping up compliance checks.

Power industrial truck use has contributed to 5 deaths this year. The fall issue of the MIOSHA News is going to focus on power industrial trucks. It will include common violations, quiz and information on forklifts. It is anticipated this will be published in mid to late October.

The MIOSHA CET grant team received 31 grant proposal applications asking for 2.5 million dollars. The CET grant administrator has selected 20 proposals for 1.15 million dollars for department approval. The awards will be announced soon and the grant administrator will be invited to the next meeting to describe the grants.

The current MIOSHA Strategic Plan runs through fiscal year 2008. It's time to start thinking about the 2009 to 2013 Strategic Plan. There will be some changes in the focused areas for injury and illnesses. This plan needs to be developed early enough to allow opportunities for input from partners.

MIOSHA is still in downtown Lansing, however, and we anticipate moving back to the General Office Building November 6, 7 and 8, 2006.

Agenda Item #9--OSHA Update--Cynthia Hutchens-Smith, Area Director

Ms. Cynthia Hutchens-Smith reported that semi annual Regulatory Agency is now posted on the OSHA web site at www.osha.gov. Ms. Hutchens-Smith stated that the Respiratory Protection Standard was recently revised as explained by Ms. Parrott-Boyle. Ms. Hutchens-Smith advised that

OSHA would be adding a Fire Protection Module as part of its interactive Web-based training tool on Shipyard Employment. OSHA is working on their personal protective equipment standard and one of the major items under consideration is if the employer should pay for the required equipment.

In the September 12, 2006 Michigan Register OSHA opened the comment period for their Hazard Communication Standard. Ms. Hutchens-Smith also explained to the commissioners that OSHA has participated in meetings to develop a Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The GHS has been adopted by the United Nations, and there is an international goal for as many countries as possible to implement the GHS by 2008. The GHS includes harmonized provisions for classification of chemicals for their health, physical, and environmental effects, as well as for labels on containers and safety data sheets. She explained how this system would work.

OSHA, other Federal agencies, and stakeholder representatives

Agenda Item #10—Next Meeting

Next Scheduled Meeting: December 6, 2006
At the General Office Building, 7150 Harris Drive, Lansing
Conference Room B - 9:30 to noon

Agenda Item #11--Public Comment

None

Agenda Item #12--Adjournment

A motion was made by Commissioner Faville and was seconded by Commissioner Miller that with no further business before the Commission, the meeting be adjourned.

MOTION CARRIED UNANIMOUSLY

Mr. Robert DeYoung, Chairperson

Date